

REMARKS

Claim 1 was rejected under 35 U.S.C. 102(b) as anticipated by Holt.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holt.

Claims 4 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holt in view of Howerin.

Claims 6, 7, 9 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holt in view of Marshall et al. and Rohrer.

Claims 19 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to Claim 18 and further in view of Howerin.

The claims as amended are believed to distinguish over the art of record, and to be patentable over the art, whether the art is considered singularly or in combination.

Applicant again calls the Examiners attention to the fact that Applicants invention is a simple to install suction device which allows a therapeutic massage device to be converted into both a massage device and a suction device. The conversion is accomplished through a simplified suction head, which includes a connection tube operatively connected to a cavity formed in the applicator head. A section line is carried by the cable which conventionally is connected between a drive motor and a massage head. This simplified device offers benefits which are accomplished only with the complex structures of the prior art. In particular, Holt, while providing somewhat of a similar result of Applicant's invention, does so with a different structure and a different manner. In particular, Holt shows a device in which "the plate 28 will prevent this material from being drawn into the air passage, the said material being collected within

the cup shaped holder 20. The applicator 25 and shell 21 may thereafter be removed and the device thoroughly cleaned.” Holt, page 2, lines 63-69.

It is respectfully suggested that the Holt device, alone or in combination with any of the other art of record, was not intended and does not disclose Applicants apparatus in which suction is provided to the human body to draw fibrous tissue of the human body within the cavity, and in which the device collects contaminants during suction which are transferred from the applicator head to the housing of the device. Applicants claims are believed to positively distinguish over Holt, and to be unobvious from the art.

A detailed description of the secondary references are not believed necessary, because, as the Examiner indicated “The secondary references are not sited to teach Applicants disclosed invention. They are secondary references which teach the convention of motor controls as taught by Marshall, the details of additional filtering means is taught by Howerin and Rohrer for the shape of the applicator.”

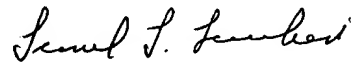
Again, none of these references show a suction head in which suction is applied to an applicator head so as to draw and stretch fibrous tissue of the human body within the cavity of the applicator, and to remove contaminants from the cavity of the applicator during the massage process being conducted on the human body.

This amendment was not presented earlier because Applicants believe the claims are adequately distinguished over the art of record. No new claims have been added, the amendments being conducted to the claims already of record. No additional work is required on part of the Office, because this amendment merely clarifies the Applicants inventive contribution and distinguishes over the art of record.

This amendment also places the case in condition for allowance or in better form for appeal.

In view of the foregoing, entrance of the amendment, allowance of the claims and passage of the case to issue are respectfully requested.

Respectfully submitted,



Lionel L. Lucchesi

Registration No. 25,891
Polster, Lieder, Woodruff & Lucchesi, L.C.
763 South New Ballas
St. Louis, MO 63141
(314) 872-8118
(314) 991-2178 (fax)